

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

TKO SPORTS GROUP USA LIMITED,  
DEBTOR

§  
§  
§  
§

CASE NO. 05-48509-H4-11  
CHAPTER 11

**REORGANIZED DEBTOR'S MOTION FOR ENTRY OF FINAL DECREE CLOSING CASE**

\*\*\*\*\*  
THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 20 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

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TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

TKO Sports Group USA Limited, the Reorganized Debtor, hereby moves this Court, pursuant to Fed. R. Bankr. P. 3022 and 11 U.S.C. §350(a), for entry of a final decree closing its Chapter 11 case. The grounds for this motion are as follows:

**Summary**

1. The Chapter 11 case of TKO Sports Group USA Limited has been fully administered.

2. There remain no outstanding motions, adversary proceedings, or contested matters. Likewise, the confirmation order is final and payments under the Chapter 11 plan have commenced.

**Jurisdiction and Authority**

3. This is a core proceeding. The Court has jurisdiction over both the subject matter and the parties under 28 U.S.C. §1334 and the standing order of reference.

4. The Court may grant the relief sought under 11 U.S.C. §350 and Fed. R. Bankr. P. 3022, which permit the Court to enter a final decree closing the case upon its own motion or on motion of a party in interest.

5. The Plan provides for the retention of jurisdiction by the Bankruptcy Court to enter a Final Decree under Bankruptcy Rule 3022 terminating the Chapter 11 case. Rule 3022 of the Federal Rules of Bankruptcy Procedure further provides:

After an estate is fully administered in a Chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.

**Case is “Fully Administered” under Rule 3022**

6. The 1991 Advisory Committee Note to Bankruptcy Rule 3022 sets forth six factors that the court should consider in determining whether the estate has been fully administered, including:

- a. whether the order confirming the plan has become final;
- b. whether deposits reported by the plan have been distributed;
- c. whether the property proposed by the plan to be transferred has been transferred;
- d. whether the debtor or the successor of the debtor under the plan has assumed the business or the management of the property dealt with by the plan;
- e. whether payments under the plan have commenced; and
- f. whether all motions, contested matters, and adversary proceedings have been finally resolved.

7. Each of these factors is satisfied here: (a) the Confirmation Order has become final; (b) the Plan does not require any deposits; (c) the Plan does not require property to be transferred; (d) the Reorganized Debtor has assumed management of property dealt with by the Plan; (e) plan payments have commenced, and (f) all motions, contested matters, and adversary proceedings have been resolved. Accordingly, this case has been substantially consummated and should be closed.

8. Thus, the Plan is fully consummated, and the administration of this Chapter 11 estate is complete. Further, the Debtor is current in all reports and payments due to the Office of the United States Trustee.

9. Accordingly, it is necessary and appropriate that the Court enter a final order and decree declaring that the case is fully administered and close the case.

10. The Movant, by this Motion, asks the Court to take judicial notice of the Docket and note the existence of the confirmation order and absence of any pending activity.

11. Equity suggests that the Court should enter its final decree promptly so that the former Debtor is not required to monitor the case, pay fees, and the case may otherwise be closed.

12. Certificate of Conference. The undersigned has discussed this Motion with counsel for the Official Unsecured Creditors Committee and he does not oppose it.

**Prayer**

WHEREFORE PREMISES CONSIDERED, TKO Sports Group USA Limited requests this Court to enter a final decree closing Case No. 05-48509-H4-11, and grant any related relief justified in law or equity.

Dated: August 1, 2007

Respectfully submitted,

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

*/s/ Edward L. Rothberg*

By: \_\_\_\_\_

Edward L. Rothberg  
State Bar No. 17313990  
Eleven Greenway Plaza, Suite 1400  
Houston, Texas 77046  
Telephone: 713.961.9045  
Facsimile 713.961.5341

ATTORNEYS FOR TKO SPORTS GROUP USA  
LIMITED

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served by first class mail, postage prepaid, and/or by electronic mail, to those parties on the attached Service List, on August 1, 2007.

*/s/ Edward L. Rothberg*

\_\_\_\_\_

Edward L. Rothberg

**SERVICE LIST**  
**TKO Sports Group USA, Limited,**  
**Debtor**

TKO Sports Group USA, Limited  
Attn: Garry Kurtz, President  
7354 Denny #100  
Houston, TX 77040-4844

Stephen Statham  
United States Trustee  
515 Rusk, Suite 3516  
Houston, TX 77002

Bank of Montreal  
c/o Diana Woodman  
Thompson & Knight  
333 Clay Street, Suite 3300  
Houston, Texas 77002

Bank of Montreal  
Attn: Tony Crow  
100 King St. West 7th Floor  
Toronto, Ontario  
Canada M581A1

Business Development Bank of Canada  
25 Main Street West  
Suite 101  
Hamilton, Ontario  
Canada L8P 1H1

Avaya Financial Services  
P. O. Box 93000  
Chicago, IL 60673-3000

De Lage Landen Financial Service  
1111 Old Eagle School Road  
Wayne, PA 19087

Image Financial Services Inc.  
P O Box 5027  
4145 North Service Road #401  
Burlington, Ontario  
Canada L7R 3Y8

Raymond Leasing  
P O Box 203905  
Houston, TX 77216-3095

Toyota Motor Credit  
Commercial Finance  
P O Box 2431  
Carol Stream, IL 60132-2431

ToyotaLift of Houston  
P O Box 200698  
Houston, TX 77216-0698

Internal Revenue Service  
Special Procedures Staff  
1919 Smith STOP HOU-5022  
Houston, TX 77002

Texas Comptroller of Public Acct  
111 E 17th St  
Austin TX 78774-0100

John P. Dillman  
Linebarger Goggan Blair & Sampson, LLP  
P.O. Box 3064  
Houston, Texas 77253-3503

Paul Bettencourt  
Harris County Tax Assessor  
P O Box 4622  
Houston TX 77210-4622

Qingdao Inred Sport Goods Co., Ltd.  
Attn: Jerry Yu General Manager  
Liu Ting Xin Xing JianCai Industrial Park  
Chengyang District, Qingdao,  
P.R.China

Olympic International Limited  
Attn: David Barr  
Suite 1505-6, Albion Plaza  
Granville Road, Tsimshatsui  
Kowloon, Hong Kong

Orbiter International  
Attn: George Chen / Robert Wu  
39, Lane 357 yhi Ming Rd.Sec.2  
Ta-Li City, Taichung, Taiwan  
R.O.C.

Sports K-Pro Ltd.  
Attn: Morris Huang, President  
c/o No. 10-3 West 10th Street  
K.E.P.Z. Kaohsiung  
Taiwan, R.O.C.

Hangzhou Amir Sports Goods Co.  
Attn: Mr. Jack Hu  
No. 25 Zhongshi Street Zianlin County  
Hangzhou, 311122  
China

Sunex Sports Co., Ltd.  
Attn: Mr. James Chen  
2F-2, No. 242 Sec. 1  
Taichung - Harbor Road Taichung  
Taiwan, R.O.C.

Jinwei Plastic Mold Hardware Ltd.  
3 Xin Cun Rd. Shang Jiao Precinct  
Chang An Town,  
Dong Guan City, Guang Dong,  
PR China

Kavinoky & Cook LLP  
726 Exchange St., Suite 800  
Buffalo, NY 14210-1465

Central Transport Intl. Inc.  
P.O. Box 33299  
Detroit, MI 48232

Bayou City Packaging Corp.  
Attn: Theresa Williams  
2830 Produce Row  
Houston, TX 77023

Lucky Kings Ltd.  
Factory: Geengwei Technology (SuZhou)  
Attn: James Yeh  
No. 9-7. Lin 5, Chin Hwa Village,  
Hsin Wu, Taoyuan, Taiwan

TIAA  
Attn: Anne or Michael  
c/o Transwestern Comm. Svcs.  
1900 W. Loop South #1300  
Houston, Texas 77027

C & M Holdings Ltd.  
Attn: Chad Huang  
Room 11 B, Shang Hu Xuan J  
ZhuJiang DiJing, Yi Yuan Bei Lu  
GuangZhou City, China

Universal Sports Industries  
Attn: Mahesh Chadha  
Basti Sheikh Road  
Jalandhar 144002  
INDIA

Bro-Tex, Inc.  
800 Hampden  
St. Paul, MN 55114-1299

Cbeyond Communications  
Attn: Account No. 20812  
P O Box 848432  
Dallas, TX 75284-8432

Reliant Energy HL&P  
PO Box 650475  
Dallas, TX 75265-0475

Verizon Wireless South  
AFNI/Verizon Wireless  
404 Brock Drive  
Bloomington, IL 61701

**Parties Requesting Notice:**

Don F. Russell  
Don F. Russell, P.C.  
4265 San Felipe, Suite 1100  
Houston, TX 77027

Mike Dushinske  
Sterling Manufacturing & Distributing  
P O Box 7703  
Houston, TX 77270

Chase Pozzi  
1921 Falcon Drive  
Ridgefield, WA 98642

Taffeta Inc.  
Attn: Steven Chen  
P.O. Box 43-120  
3D-21, No. 5, Hsin-Yird, Sec 5  
Taipei, TAIWAN

Landstar Ligon  
13410 Sutton Park Drive S  
Jacksonville, FL 32224

Malin NJ & Associates LP  
P O Box 797  
Addison, TX 75001

CERYX  
1920 Yonge Street  
Suite 201  
Toronto, Ontario  
Canada M4S 3E2

SBC Long Distance  
P. O. Box 930170  
Dallas, TX 75393-0170

Juiyi Hardware & Machinery Co., Ltd.  
Attn: Alan Young  
667 No. Yang Zi Jiang Rd.  
Xihu county, Yangzhou  
Jiangsu, PR China 225008

Theodore J. Klein  
Attorney at Law  
8030 Peters Road  
Building D, Suite 104  
Plantation, FL 33324  
Cathy Barlow  
Senior Vice President  
801 Cherry Street, Suite 3400  
Burnett Plaza  
Fort Worth, TX 76102

Andrew I. Silfen  
Schuyler G. Carroll  
Arent Fox PLLC  
1675 Broadway  
New York, NY 10019

Malhar S. Pagay  
Pachulski, Stang, Ziehl, Young,  
Jones & Weintraub, P.C.  
10100 Santa Monica Blvd., 11th Floor  
Los Angeles, CA 90067

Hendee Enterprises  
Attn: Loran T. Schmidt  
P.O. Box 952035  
Dallas, Texas 75395-2035

Geeng Wei Tech (Suzhou) Co. Ltd.  
158-23 Huangshan Road  
Fengqiao Industry Zone  
Suzhou District  
Republic of China

Copan Road Associates, LLP  
2100 Central Park Blvd North  
Suite 900  
Pompano Beach, Fl 33064

FDN Communications  
P O Box 31457  
Tampa, FL 33631-3457

Southwestern Bell  
Attn: Bankruptcy Section  
P. O. Box 650502  
Dallas, TX 75265-0502

Kevin M. Lippman  
Munsch Hardt Kopf & Harr PC  
4000 Fountain Place  
1445 Ross Avenue  
Dallas, TX 75202-2790

Richard J. Mitchell ,Jr.  
General Counsel  
National Product Services, Inc.  
3100 Research Blvd.  
Kettering, OH 45420

Barnet B. Skelton, Jr.  
1111 Bagby, 47th Floor  
Houston, TX 77002

Teachers Insurance / TIAA Realty, Inc.  
c/o Davor Rukavina  
Munsch Hardt Kopf & Harr PC  
500 N Akard St., Suite 3800  
Dallas, TX 75201

Tad Davidson  
Andrews Kurth LLP  
600 Travis, Suite 4200  
Houston, Texas 77002

Michael W. Kerensky  
The Kerensky Law Firm  
5300 Memorial, Suite 950  
Houston, Texas 77007

Southwest Corrugated LLP  
Lawrence J. Maun  
c/o Lawrence J. Maun P.C.  
9800 Richmond Ave, Suite 520  
Houston, TX 77042

Ray Crouse  
Director, Litigation and Recovery  
De Lage Landen Financial Services  
1111 Old Eagle School Road  
Wayne, PA 19087

Internal Revenue Service  
P O Box 21126  
Philadelphia, PA 19114

Paul Keul  
Deloitte & Touche LLP  
1005 Skyview Drive Suite 202  
Burlington, ON L7P 5B1  
Canada

Securities & Exchange Commission  
Attn: Angela Dodd  
175 W Jackson Blvd Suite 900  
Chicago IL 60604-2908